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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SHARON HARDIN,

Plaintiff,

vs.

TRUEACCORD CORP; DOES 1-10
Inclusive,
Defendant.

Case No.

[Removal from the Superior Court of the
State of California for the County of Los
Angeles, Case No. 17K00961]

**DEFENDANT TRUEACCORD
CORP.'S NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. § 1441**

**[FEDERAL QUESTION
JURISDICTION]**

Action Filed: January 17, 2017

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT
OF THE CENTRAL DISTRICT OF CALIFORNIA:**

PLEASE TAKE NOTICE that Defendant TrueAccord Corp. hereby
removes to this Court, pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, the state court
civil action known as *Sharon Hardin v. TrueAccord Corp.*, Case No. 17K00961, from

1 the Superior Court of the State of California for the County of Los Angeles, to the
2 United States District Court for the Central District of California, and in support
3 thereof states as follows.

4 1. On or about January 17, 2017, Plaintiff Sharon Hardin filed an
5 Unverified Complaint was filed against Defendant TrueAccord Corp. in the Superior
6 Court of the State of California for the County of Los Angeles. A true and correct
7 copy of the state court complaint ("complaint") and other papers served on Defendant
8 TrueAccord Corp. in the state court action is attached hereto as Exhibit 1.

9 2. This removal petition is timely under 28 U.S.C. §1446(b) because
10 TrueAccord Corp. was served with the summons and complaint on or about January
11 24, 2017.

12 3. Except for the notice filed with respect to this Notice of Removal,
13 as of the date of this filing, no pleadings, motions, or papers other than the Complaint
14 have been filed in the state court action.

15 4. Defendant TrueAccord Corp. is not aware of any other parties to the
16 state court action.

17 5. No previous request has been made for the relief requested herein.

18 6. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal
19 is being served on Plaintiff, and a copy is being filed with the clerk for the state court
20 action.

21 **JURISDICTION**

22 7. This action is a civil action of which this Court has original
23 jurisdiction under 28 U.S.C. §1331 and that may be removed to this Court by
24 TrueAccord Corp. pursuant to the provisions of 28 U.S.C. § 1441(b) in that the
25 complaint seeks damages based upon violations of the Fair Debt Collection Practices
26 Act, 15 U.S.C. §§1692 et seq.

27 8. Plaintiff's Complaint in the state court action alleges violations of a
28 federal statute, the Fair Debt Collection Practices Act, and consequently arises under

1 the laws of the United States. *See*: 28 U.S.C. §1331. Therefore, this Court may
2 properly exercise jurisdiction over this claim.

3 9. To the extent that any other claims in the state court action may
4 arise under state law, supplemental jurisdiction over such claims exists pursuant to 28
5 U.S.C. §1367.

6 **VENUE**

7 10. The complaint was filed in the Superior Court of the State of
8 California, County of Los Angeles. Therefore, venue in the Central District is proper.
9 28 U.S.C. §1441 (providing for removal “to the district court of the United States for
10 the district and division embracing the place” where the state court action is pending).

11 **WHEREFORE**, Defendant TrueAccord Corp. through its counsel
12 respectfully requests that the state court action originally filed in the Superior Court
13 of the State of California for the County of Los Angeles be revoed to this Court
14 pursuant to 28 U.S.C. §§ 1441 and 1446.

15
16 Dated: February 22, 2017

17 **BARRON & NEWBURGER, P.C.**

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19 By: /s/Timothy Johnson
20 TIMOTHY P. JOHNSON
21 Attorneys for Defendant TrueAccord Corp.
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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 1970 Old Tustin Avenue, Second Floor, Santa Ana, California 92705.

On February 23, 2017, I served a true copy of the **NOTICE OF REMOVAL** on all interested parties in this action by:

☐ By personally delivering it to the person(s) indicated below in the manner as provided in FRCP 5(B);

☒ By depositing it in the United States mail in a sealed envelope with the postage thereon fully prepaid to the following:

Todd M. Friedman, Esq.
LAW OFFICES OF TODD M. FRIEDMAN, P.C.
21550 Oxnard St., Suite 780
Woodland Hills, CA 91367

☐ By overnight delivery using an envelope or package provided by the overnight service carrier and addressed to the following:

☐ By ECF: On this date, I electronically filed the document(s) with the Clerk of the Court using the CM/ECF system, which sent electronic notification of such filing to the following:

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

EXECUTED on February 23, 2017, at Santa Ana, California.

/s/Timothy Johnson
TIMOTHY P. JOHNSON